**IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH**
**AT HYDERABAD**

(Special Original Jurisdiction)

WEDNESDAY, THE TWENTY NINTH DAY OF DECEMBER
TWO THOUSAND AND FOUR

PRESENT

**THE HON'BLE MR JUSTICE B.PRAKASH RAO**

**WRIT PETITION NO : 14492 of 2002**

Between:

1 Kothuri Lakshmi, W/o Late Narsing Rao, aged 36 years
2 Kum. Kothuri ramya Krishna, D/o Late Narsing Rao

Aged 17 years, being minor rep. By her mother and
natural guardian

(both are residents of C/o. Koka Lingaiah,
Opp: Lakshmi Krishna Theatre, Jangaon, Warangal District)

..... PETITIONERS

AND

1 The Managing Director, IDL Industries Limited,
PB No.1, Sanathnagar, I.E. (P.O.), Hydrabad – 500 018
2 The Deputy Commissioner of Provident Fund, Kukatpalli,
Rangareddy Districst, Hyderabad.
3 The Commissioner of Provident Fund, Hyderabad.
4 B. Padma D/o Narasimhaiah

IDL, R/o. H.No.10-1-18/105, West Maredpalli, Secunderabad.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue an appropriate Writ, order or direction more particularly one in the nature of Writ of Mandamus (i) declaring the inaction of the respondents 1 and 2 in not paying the post death benefits of the 1st petitioner's husband late Narsing RAo (Staff No. 4408, IDL Industries Limited) including arrears of pension and monthly pension, as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice and against the decree passed by the Hon'be Senior Civil Judge, Jangaon in IA No. 240/99 in IA No. 215 of 99 in OP No. 7/98 dated 20-10-1999; consequently, (ii) declaring the inaction of the respondents 1 and 2 in not

considering the petitioners request to pay the post death benefits of the 1st petitioner's husband who died on 1.5.1999 including the 1st petitioner's representation dated 19-2-2002 for payment of post death benefits of the 1st petitioner's husband including pensionary benefits of the 1st petitioners husband to the petitioners as legal heirs of late Narsing Rao, as illegal, arbitrary and unconstitutional apart from being violative of principles of natural justice; consequently (iii) direct the respondent to pay the post death benefits of late Narasing Rao (Staff No. 4408, IDL Industries Limited) including pension arrears and monthly pension to the petitioners in terms of the decree passed by the Senior Civil Judge, Jangaon, Waragal District in IANo. 240/99 in IA No. 215/1999 in OP No. 7/98 dated 20-10-1999 by recovering the amounts if any paid to the 4th respondent.

**Counsel for the Petitioners: MR.NANDIGAM KRISHANA RAO**

**Counsel for the Respondents: MR.R.N.REDDY**

**The Court made the following ORDER:**

**ORDER**:

Heard both sides.

Having regard to the memorandum of compromise filed by both the parties, the main writ petition itself is taken up for disposal.

In view of the above, the Writ Petition is disposed of in terms of the compromise filed by both the parties. No costs.

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B.Prakash Rao, J

Date: 29.12.2004

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To

1 The Managing Director, IDL Industries Limited,
PB No.1, Sanathnagar, I.E. (P.O.), Hydrabad – 500 018
2 The Deputy Commissioner of Provident Fund, Kukatpalli,
Rangareddy Districst, Hyderabad.
3 The Commissioner of Provident Fund, Hyderabad.
4 Two CD Copies